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July 21, 2008

Hon. Victor Marrero, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 660  
New York, New York 10007

Re: Trustees of the Mason Tenders District Council Welfare Fund,  
*et al.* v. First Choice Construction Services, Inc.  
08 Civ. 4333 (VM)

Dear Judge Marrero:

The undersigned is counsel for plaintiffs in the above-referenced action, and I am submitting this letter in response to this Court's Order dated July 18, 2008, to advise the Court of the status of the action.

The Summons and Complaint were filed on May 8, 2008 and served on defendant First Choice Construction Services, Inc. on May 13, 2008. As of this date, no answer or other response from the defendant has been served or filed.

Accordingly, with the Court's permission, plaintiffs intend to file a motion for entry of a default judgment on or before August 8, 2008.

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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 7-23-08

Respectfully,

*Sally L. Schneider*  
Sally L. Schneider

cc: First Choice Construction Services, Inc.

Request GRANTED. Plaintiff may proceed to file a motion for entry of a judgment by default in this action on or before 8-8-08.	
SO ORDERED: 7-23-08	<i>[Signature]</i> VICTOR MARRERO, U.S.D.J.